



February 20, 2004

ENGROSSED HOUSE BILL No. 1018

DIGEST OF HB 1018 (Updated February 18, 2004 11:07 am - DI 110)

Citations Affected: IC 16-19.

Synopsis: Anatomical gift promotion fund. Requires quarterly distribution of the money in the anatomical gift promotion fund to the Indiana Donation Alliance Foundation (IDAF) for the purpose of implementing an organ, tissue and marrow registry and to promote organ, tissue and marrow donation. Requires the IDAF to submit an annual report, including a list of expenditures, to the legislative council, the senate health committee, and the house public health committee. Requires the IDAF to notify the chairs of the legislative standing committees dealing with health issues if the IDAF loses its nonprofit status or ceases its affiliation with certain organizations. Requires the chairs of the legislative standing committees dealing with health issues to recommend to the state department of health whether to continue distributions from the anatomical gift promotion fund to the IDAF. Extends the expiration date of the fund from June 30, 2004, to July 1, 2007.

Effective: Upon passage.

Grubb, Becker, Welch, Budak

(SENATE SPONSORS — HARRISON, BREAUX, DILLON)

December 4, 2003, read first time and referred to Committee on Human Affairs.
January 26, 2004, amended, reported — Do Pass; referred to Committee on Ways and Means pursuant to Rule 127.
January 29, 2004, reported — Do Pass.
February 4, 2004, read second time, amended, ordered engrossed.
February 5, 2004, engrossed. Read third time, passed. Yeas 94, nays 1.

SENATE ACTION

February 9, 2004, read first time and referred to Committee on Health and Provider Services.
February 19, 2004, reported favorably — Do Pass.

EH 1018—LS 6240/DI 14+



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February 20, 2004

Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1018

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 16-19-3-26, AS AMENDED BY P.L.81-2002,
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 26. (a) The anatomical gift promotion fund is
4 established. The fund consists of amounts distributed to the fund by the
5 auditor of state under IC 9-18-2-16.
6 (b) The treasurer of state shall invest the money in the fund not
7 currently needed to meet the obligations of the fund in the same
8 manner as other public funds are invested. Interest that accrues from
9 these investments shall be deposited in the fund.
10 (c) The state department shall administer the fund. Any expenses
11 incurred in administering the fund shall be paid from the fund.
12 (d) Except as provided in subsections (e) and (f), the state
13 department shall select appropriate organ procurement organizations
14 to which the money deposited in the fund shall be distributed:
15 (e) Except as provided in subsection (f), the state department may
16 not distribute any money from the fund after June 30, 2001.
17 (f) Beginning July 1, 2002, the state department shall distribute

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money deposited in the fund as follows:

(1) For the state fiscal year beginning July 1, 2002:

(A) sixty thousand six hundred fifty dollars (\$60,650) for payment to the Indiana Blood Center for testing of bone marrow before entrance into the National Bone Marrow Registry; and

(B) the lesser of fifty thousand dollars (\$50,000) or the amount in the fund after the distribution is made under clause (A) shall be distributed to the bone marrow and organ donor fund established under IC 16-46-12-2.

After the distribution to the bone marrow and organ donor fund under this subdivision, any amount remaining in the fund shall be distributed to the Indiana Donation Alliance Foundation.

(2) For the state fiscal year beginning July 1, 2003:

(d) The money in the fund shall be distributed **quarterly** to the Indiana Donation Alliance Foundation **for the purpose of implementing an organ, tissue, and marrow registry and to promote organ, tissue, and marrow donation.**

~~(g)~~ (e) The Indiana Donation Alliance Foundation shall keep information regarding the identity of an individual who has indicated a desire to make an organ or tissue donation confidential.

~~(h)~~ (f) **The Indiana Donation Alliance Foundation shall submit an annual report, including a list of all expenditures, to the chairperson of the:**

- (1) legislative council;
- (2) senate health committee; and
- (3) house public health committee;

before January 15. The report must be in an electronic format under IC 5-14-6.

(g) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(h) **This subsection applies if the Indiana Donation Alliance Foundation:**

(1) **loses its status as an organization exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code; or**

(2) **ceases its affiliation with at least three (3) of the following organizations:**

- (A) American Red Cross Tissue Service.
- (B) Children's Organ Transplant Association.
- (C) Community Tissue Services.
- (D) Indiana Lions Eye & Tissue Transplant Bank.

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1 (E) Indiana Organ Procurement Organization.

2 (F) St. Joseph Hospital Tissue Bank and Indiana Cardiac
3 Retrieval.

4 The Indiana Donation Alliance Foundation shall report in an
5 electronic format under IC 5-14-6 to the chairpersons of the senate
6 standing committee, as determined by the president pro tempore
7 of the senate, and the house standing committee, as determined by
8 the speaker of the house of representatives, that have subject
9 matter jurisdiction over health issues. The chairpersons shall
10 review the report and recommend to the state department whether
11 to continue distributions under subsection (d).

12 (i) This section expires ~~June 30, 2004~~ July 1, 2007.

13 SECTION 2. An emergency is declared for this act.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Human Affairs, to which was referred House Bill 1018, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 15, after "distributed" insert "**quarterly**".

Page 2, line 16, delete "." and insert "**for the purpose of implementing an organ, tissue and marrow registry and to promote organ, tissue and marrow donation.**".

Page 2, line 20, after "(f)" insert "**The Indiana Donation Alliance Foundation shall submit an annual report, including a list of all expenditures, to the chairperson of the:**

- (1) legislative council;**
- (2) senate health committee; and**
- (3) house public health committee;**

before January 15. The report must be in an electronic format under IC 5-14-6.

(g)".

Page 2, delete "(g)" and insert "**(h)**".

and when so amended that said bill do pass.

(Reference is to HB 1018 as introduced.)

SUMMERS, Chair

Committee Vote: yeas 13, nays 0.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1018, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

CRAWFORD, Chair

Committee Vote: yeas 26, nays 1.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1018 be amended to read as follows:

Page 2, line 17, after "tissue" insert ",".

Page 2, line 18, after "tissue" insert ",".

Page 2, between lines 31 and 32, begin a new paragraph and insert:

"(h) This subsection applies if the Indiana Donation Alliance Foundation:

(1) loses its status as an organization exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code; or

(2) ceases its affiliation with at least three (3) of the following organizations:

(A) American Red Cross Tissue Service.

(B) Children's Organ Transplant Association.

(C) Community Tissue Services.

(D) Indiana Lions Eye & Tissue Transplant Bank.

(E) Indiana Organ Procurement Organization.

(F) St. Joseph Hospital Tissue Bank and Indiana Cardiac Retrieval.

The Indiana Donation Alliance Foundation shall report in an electronic format under IC 5-14-6 to the chairpersons of the senate standing committee, as determined by the president pro tempore of the senate, and the house standing committee, as determined by the speaker of the house of representatives, that have subject matter jurisdiction over health issues. The chairpersons shall review the report and recommend to the state department whether to continue distributions under subsection (d)."

Page 2, line 32, reset in roman "(i)".

Page 2, line 32, delete "(h)".

(Reference is to HB 1018 as printed January 30, 2004.)

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COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1018, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1018 as printed February 5, 2004.)

MILLER, Chairperson

Committee Vote: Yeas 9, Nays 0.

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